

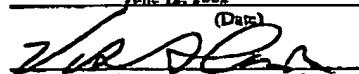
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PATENT

#818(G)  
CNM

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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 please enter Appl. No. : 09/771,433  
 1/31/03 Filed : November 13, 2000  
 For : CONTOURED METAL  
 EYEGLASS FRAMES  
 Examiner : H. MAI

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on  
 June 12, 2002  
 (Date)  
  
 Vito A. Camuso III, Reg. No. 35,471

RESPONSE TO OFFICE ACTION

United States Patent and Trademark Office  
 P.O. Box 2327  
 Arlington, VA 22202

Dear Sir:

Applicant hereby responds to the Office Action mailed March 27, 2002. Claims 1 through 33 are pending in the present Application.

IN THE CLAIMS:

Please cancel Claims 1-26.

REMARKS

In the Office Action of March 27<sup>th</sup>, the Examiner rejected Claims 1-26 under the judicially created doctrine of obviousness-type double patenting, relying upon U.S. Patent Nos. 6,056,399 and 5,708,489. The Examiner allowed Claims 27-33. Because Claims 27-33 are not subject to the double patenting rejection, Applicant has canceled Claims 1-26 in the present application and will file a continuation application so that an appropriate terminal disclaimer can be filed with respect to those same Claims 1-26. For that reason, Applicant respectfully requests that the Examiner pass